

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00188

Bryan Deangelo Aromaye,
Plaintiff,

v.

U.S. Bank Trust National Association et al.,
Defendants.

ORDER


Plaintiff Bryan Deangelo Aromaye, proceeding pro se, filed this lawsuit on December 28, 2023, in Texas state court. Doc. 1. Five months later, defendant U.S. Bank Trust National Association, not in its individual capacity, but solely as Delaware trustee for B4 Residential Mortgage Trust, removed the case to federal court. It was referred to United States Magistrate Judge John D. Love. On November 21, 2024, the magistrate judge issued a report recommending that plaintiff's complaint be dismissed with prejudice for lack of standing. Doc. 21. The magistrate judge recommended dismissing plaintiff's claims with prejudice because allowing the opportunity to further amend the complaint would be futile: plaintiff could not legally pursue a quiet-title action against U.S. Bank. *Id.* at 12. Additionally, the magistrate judge recommended that plaintiff's motion to join necessary parties be denied because plaintiff lacks standing to pursue his claims against any party. *Id.* at 7–8. Plaintiff acknowledged receipt of the report and did not file objections. Doc. 22. The time for doing so has passed.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the report, court finds no clear error except for in its recommendation that prejudice attach to the dismissal. *See In re Great Lakes Dredge & Dock Co.*, 624 F.3d

201, 209 (5th Cir. 2010) (explaining that dismissal for lack of subject-matter jurisdiction should be without prejudice).

Other than the prejudice recommendation, the court accepts the report's findings and recommendation. Plaintiff's complaint is dismissed without prejudice because he lacks standing to pursue his claims against U.S. Bank and allowing leave to amend his complaint would be futile. Additionally, plaintiff's motion (Doc. 6) to join necessary parties is denied.

So ordered by the court on April 21, 2025.



J. CAMPBELL BARKER
United States District Judge